

AMENDED IN SENATE JULY 11, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY MARCH 7, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 292**

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**Introduced by Assembly Member Galgiani**  
**(Coauthor: Assembly Member Perea)**  
(Coauthor: Senator Rubio)

February 8, 2011

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An act to add Section 185034.3 to the Public Utilities Code, relating to high-speed rail.

### LEGISLATIVE COUNSEL'S DIGEST

AB 292, as amended, Galgiani. High-speed rail: agricultural lands.

Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. Various federal laws provide funding for allocation nationally to high-speed rail and other related projects.

This bill would require the authority to appoint an agricultural advisory committee with 9 members from a list of nominees recommended by the Secretary of Food and Agriculture. The bill would

require the authority to consult with the committee and to reflect the committee's comments on authority policies and related matters in any action item brought before the board of the authority.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The agricultural industry is concerned that the High-Speed
- 4 Rail Authority is not preserving agricultural lands in its planning
- 5 activities.
- 6 (b) Proposed plans for high-speed rail alignments divide parcels,
- 7 separating wells from growing fields, leaving some farmers without
- 8 access to water or otherwise adversely affecting irrigation systems.
- 9 (c) Proposed plans cause some parcels to be orphaned, without
- 10 egress, and potentially unprofitable.
- 11 (d) Loss of agricultural lands creates long-term loss of revenues
- 12 to farm families, farmworkers and their families, and related
- 13 agricultural business suppliers, processors, and handlers.
- 14 (e) California farmland is some of the most fertile farmland in
- 15 the world and is not a renewable resource.
- 16 (f) Many potentially impacted lands are considered heritage
- 17 lands, having been farmed and preserved by the same family for
- 18 over 100 years.
- 19 (g) California farmers and ranchers are major contributors to
- 20 local, state, and national economies, providing employment to
- 21 many and generating a domestic food supply.
- 22 (h) The High-Speed Rail Authority's stated policy on its impacts
- 23 to industries is to avoid, minimize, and mitigate those impacts.
- 24 (i) It is the intent of the Legislature that the authority's policies
- 25 should be followed, and that impacts should be avoided and
- 26 minimized, and then any remaining impacts on agriculture and
- 27 resulting problems from high-speed rail construction should be
- 28 fully mitigated. Mitigation considerations should not be limited
- 29 to conventional practices, but should also include options used by
- 30 other states and nations, or new mitigation options not previously
- 31 implemented.

1 SEC. 2. Section 185034.3 is added to the Public Utilities Code,  
2 to read:

3 185034.3. (a) The authority shall appoint an agricultural  
4 advisory committee from a list of nominees recommended by the  
5 Secretary of Food and Agriculture. The purpose of the committee  
6 is to advise the authority on the impact that authority policies,  
7 plans, practices, and procedures will have on the agricultural  
8 community. The authority shall consult with the agricultural  
9 advisory committee prior to adopting any policy relevant to  
10 agriculture, and reflect the comments of the advisory committee  
11 in any action item to adopt a policy or other action that is brought  
12 before the board of the authority. The authority shall provide  
13 written responses to the committee's comments, which shall be  
14 distributed both to the board and the committee.

15 (b) The agricultural advisory committee shall consist of nine  
16 members, representing specific areas proposed to be affected by  
17 plans for high-speed rail. *The membership shall change to reflect*  
18 *areas affected by each planning phase.* Each member shall be  
19 active in a farming *or agricultural* enterprise or in an agricultural  
20 or related trade organization, and have technical expertise in one  
21 or more farm-related activities, including, but not limited to, well  
22 drilling, irrigation systems, animal husbandry, harvesting,  
23 processing, and agricultural transportation.

24 (c) Nothing in this section shall be construed to affect any other  
25 requirements that may be imposed by law for the authority to  
26 respond to public comments submitted to the authority in writing  
27 or at public hearings.